

## **REMARKS**

This paper is presented in response to the Office Action. By this paper, claims 1-17 and previously presented claim 26 are canceled, claims 18-20 are amended, and new claims 26-31 are added.

Reconsideration of the application is respectfully requested in view of the aforementioned amendments to the claims and the following remarks. For the convenience and reference of the Examiner, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

### **I. General Considerations**

Applicant notes that the amendments and remarks presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited references. Such amendments and remarks, or a lack of remarks, are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicant reserves the right to challenge the purported teaching and asserted prior art status of the cited references at any appropriate time.

In addition, the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed herein are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose contemporaneous or future consideration, by the Applicant, of additional or alternative distinctions between the claims of the present application and the references cited by the Examiner, and/or the merits of additional or alternative arguments.

### **II. Rejection of Claims 1-8, 11-15 and 26 Under 35 U.S.C. §102**

Applicant respectfully notes that a claim is anticipated under 35 U.S.C. § 102(a), (b), or (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim. Finally, the elements must be arranged as required by the claim. *MPEP* § 2131.

The Examiner has rejected claims 1-7, 11-14, and previously presented claim 26, under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,432,809 to Grodzinski et al. ("*Grodzinski*"). Applicant

respectfully disagrees but submits that in view of the cancellation herein of claims 1-8, 11-15 and 26, the rejection is moot and should be withdrawn.

Additionally, the Examiner has rejected claims 1-8 and 11-15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,327,293 to Salokatve et al. ("*Salokatve*")<sup>1</sup>. Applicant respectfully disagrees but submits that in view of the cancellation herein of claims 1-8 and 11-15, the rejection is moot and should be withdrawn.

### **III. Allowable Subject Matter**

The Examiner has indicated that claims 9, 10, 16, and 17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As noted above however, Applicant has canceled those claims.

Applicant acknowledges with thanks the indications of the Examiner that claims 18-24 are allowed, and Applicant also wishes to thank the Examiner for the careful review of those claims. Applicant draws the attention of the Examiner to the fact that claim 18 has been amended herein. Nonetheless, claim 18, as amended, is believed to be in allowable condition.

Applicant submits the following comments concerning the Examiner's statements of reasons for the indication of allowable subject matter in the Office Action. In general, Applicant agrees with the Examiner that the inventions to which claims 18-24 are respectively directed are patentable over the cited references, but respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in the Office Action.

Particularly, Applicant submits that it is improper to characterize a single limitation, or subset of limitations, as constituting the basis for allowance of a claim. Rather, the patentability of a claim is properly determined with reference to the claim as a whole. Accordingly, Applicant does not concede that the reasons for allowable subject matter given by the Examiner are the only reasons that make, or would make, the claim allowable and Applicant does not make any admission or concession concerning the Examiner's statements in the Office Action concerning the allowability of claims 18-24 in view of the cited references.

### **VI. New Claims 27-31**

By this paper, Applicant has added new claims 27-31. Those claims are believed to be in allowable condition for at least the same reasons as claims 18-26.

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<sup>1</sup> Because *Salokatve* is only citable under 35 U.S.C. § 102(e), Applicant does not admit that *Salokatve* is in fact prior art to the claimed invention but reserves the right to swear behind *Salokatve* if necessary to remove it as a reference.

Application No. 10/634,558  
Docket No. 15436.434.3.1  
Reply to Office Action mailed January 6, 2006



In view of the remarks submitted herein, Applicant respectfully submits that each of the pending claims 18-31 is in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 6<sup>th</sup> day of June, 2006.

Respectfully submitted,

Peter F. Malen Jr.  
Attorney for Applicant  
Registration No. 45,576  
Customer No. 022913  
Telephone: (801) 533-9800

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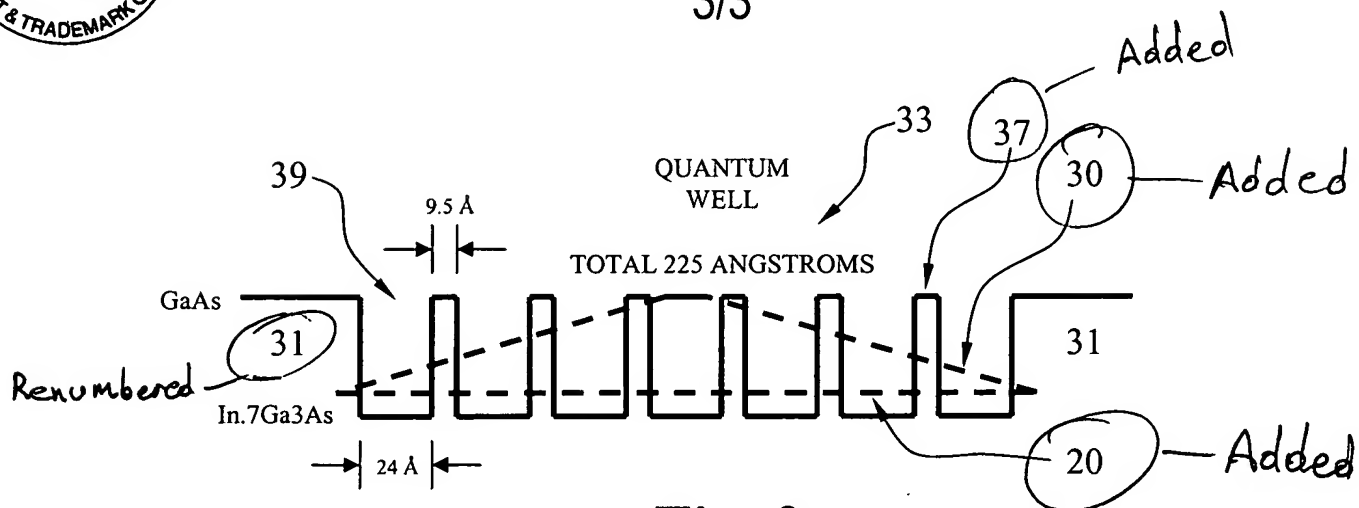
### **AMENDMENTS TO THE DRAWINGS**

The attached one (1) sheet of replacement drawings includes changes to Figure 3. Replacement Sheet 3, which includes Figures 3-5, replaces the original sheet 3 containing Figures 3-5. In Figure 3, reference numerals 19, 20, and 30 have been added and reference numeral 311 has been replaced with reference numeral 31. No changes have been made to Figures 4 and 5. No new matter is believed to be entered as a result of the aforementioned changes.

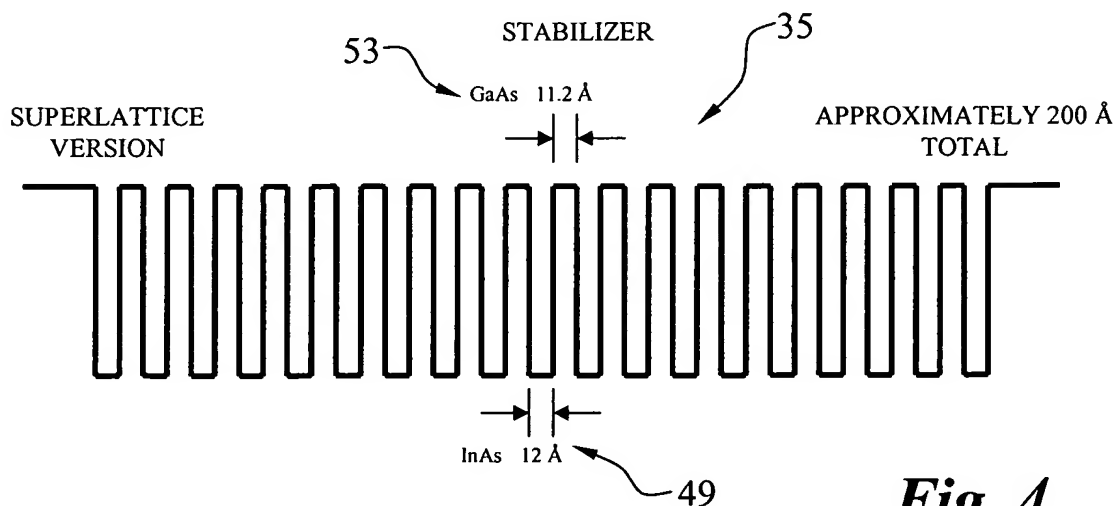
**Attachments:** Replacement Sheet 3  
One (1) Annotated Sheet Showing Changes



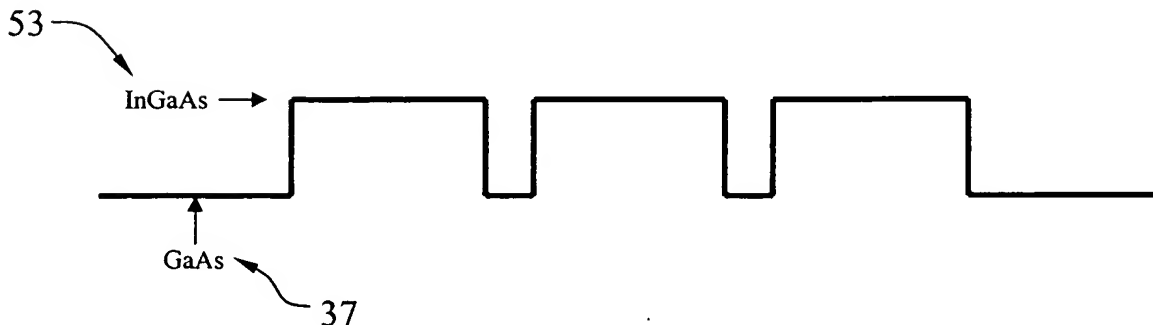
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**Fig. 3**



**Fig. 4**



**Fig. 5**